

# *JOURNAL OF THE HOUSE*

## *NINETY-SIXTH SESSION*

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FOURTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Friday, January 15, 2021

The House convened at 12:30 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Fr. Ron Garry, followed by the Pledge of Allegiance led by House page Tessa Erdmann.

Roll Call: All members present except Reps. Cwach, Lesmeister, Marty, May, Ernie Otten, and Pourier who were excused.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the third day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Spencer R. Gosch, Chair

Which motion prevailed.

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**MESSAGES FROM THE SENATE**

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MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has adopted the report of the Joint-Select Committee relative to making arrangements for a memorial recognition of deceased former members of the Senate and House.

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Also MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has approved the adoption of the temporary joint rules adopted by the Ninety-sixth Legislative Session as the permanent joint rules for the Ninety-sixth Legislative Session.

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Respectfully,  
Kay Johnson, Secretary

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**MOTIONS AND RESOLUTIONS**

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The Speaker declared that **HB 1054** changed the Senate prime sponsor from Senator Bolin to Senator Novstrup at their request.

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**CONSIDERATION OF REPORTS OF COMMITTEES**

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Speaker Pro tempore Hansen now presiding.

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Rep. Chris Johnson moved that the report of the Standing Committee on Joint Legislative Procedure be adopted and that the temporary joint rules adopted by the Ninety-sixth Legislative Session be adopted as the permanent joint rules of the Ninety-sixth Legislative Session with the changes adopted in the Joint Legislative Procedure Committee report.

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The question being on Rep. Chris Johnson's motion that the report of the Standing Committee on Joint Legislative Procedure be adopted and that the temporary joint rules adopted by the Ninety-sixth Legislative Session be adopted as the permanent joint rules of the Ninety-sixth Legislative Session with the changes adopted in the Joint Legislative Procedure Committee report.

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And the roll being called:

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Yeas 62, Nays 2, Excused 6, Absent 0

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Yeas:

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Anderson, Bartels, Barthel, Beal, Blare, Bordeaux, Chaffee, Chase, Davis, Dennert, Derby, Deutsch, Drury, Duba, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Healy, Hoffman, Howard, Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Karr, Keintz, Koth, Ladner, Mills, Milstead, Miskimins, Mortenson, Mulally, Odenbach, Olson, Overweg, Perry, Kent Peterson, Sue Peterson, Randolph, Reed, Rehfeldt, Reimer, Schneider, Jamie Smith, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis, Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

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Nays:

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Aylward and Pischke

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1 Excused:  
2 Cwach, Lesmeister, Marty, May, Ernie Otten, and Pourier

3 So the motion having received an affirmative vote of a majority of the members elect, the  
4 Speaker declared the motion prevailed and the report was adopted.

5 Speaker Gosch now presiding.

6 Rep. Hansen moved that the report of the Standing Committee on House Legislative Procedure  
7 as found on page 27 of the House Journal be adopted.

8 The question being on Rep. Hansen's motion that the report of the Standing Committee on  
9 House Legislative Procedure as found on page 27 of the House Journal be adopted.

10 And the roll being called:

11 Yeas 56, Nays 8, Excused 6, Absent 0

12 Yeas:

13 Anderson, Bartels, Barthel, Beal, Blare, Chaffee, Chase, Davis, Dennert, Derby, Deutsch,  
14 Drury, Finck, Fitzgerald, Goodwin, Lana Greenfield, Gross, Hansen, Haugaard, Hoffman, Howard,  
15 Jamison, Kevin Jensen, Phil Jensen, Chris Johnson, Koth, Ladner, Mills, Milstead, Miskimins,  
16 Mortenson, Mulally, Odenbach, Olson, Overweg, Perry, Kent Peterson, Sue Peterson, Randolph,  
17 Reed, Rehfeldt, Reimer, Schneider, Soye, St. John, Stevens, Thomason, Tidemann, Vasgaard, Weis,  
18 Weisgram, Wiese, Willadsen, Wink, York, and Speaker Gosch

19 Nays:

20 Aylward, Bordeaux, Duba, Healy, Karr, Keintz, Pischke, and Jamie Smith

21 Excused:

22 Cwach, Lesmeister, Marty, May, Ernie Otten, and Pourier

23 So the motion having received an affirmative vote of a majority of the members elect, the  
24 Speaker declared the motion prevailed and the report was adopted.

## 25 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

26 **HB 1059:** FOR AN ACT ENTITLED, An Act to add nonvoting legislative members to the South  
27 Dakota Ellsworth Development Authority.

28 Introduced by: **Representative** Goodwin

29 Was read the first time and referred to the Committee on Military and Veterans Affairs.

30 **HB 1060:** FOR AN ACT ENTITLED, An Act to direct certain persons to notify funeral directors  
31 of communicable diseases or conditions.

32 Introduced by: **Representative** Hoffman

1 **HB 1061**: FOR AN ACT ENTITLED, An Act to prohibit smoking marijuana and its derivatives in  
2 a motor vehicle and create a penalty therefor.

3 Introduced by: **Representative** Fitzgerald

4 Were read the first time and referred to the Committee on Judiciary.

5 The following bills were read on January 12, 2021, and today the Speaker assigned these bills  
6 to committees:

7 **HB 1038** was referred to the Committee on Agriculture and Natural Resources.

8 **HB 1021** was referred to the Committee on Health and Human Services.

9 **HB 1018, 1019, and 1020** were referred to the Committee on Military and Veterans Affairs.

10 **HCR 6001** was referred to the Committee on State Affairs.

11 The following bills were read on January 14, 2021, and today the Speaker assigned these bills  
12 to committees:

13 **HB 1056** was referred to the Committee on Education.

14 **HB 1051** was referred to the Committee on Health and Human Services.

15 **HB 1052** was referred to the Committee on Judiciary.

16 **HB 1050 and 1058** were referred to the Committee on Local Government.

17 **HB 1055 and 1057** were referred to the Committee on Military and Veterans Affairs.

18 **HB 1054** was referred to the Committee on State Affairs.

19 **HB 1053** was referred to the Committee on Transportation.

20 Rep. Reimer moved that the House do now adjourn, which motion prevailed and at 12:51 p.m.  
21 the House adjourned.

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Patricia Miller, Chief Clerk